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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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LUANN P. GOULD,	:
	:
Plaintiff,	: 05 CV 11118 (PBS)
	:
– against –	: (ECF FILING)
	:
LUCENT TECHNOLOGIES, INC.,	:
	:
Defendant.	:
	:
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**THE PARTIES' MOTIONS TO ADJOURN  
THE TRIAL AND OTHER RELATED DATES**

For the reasons stated below, the undersigned counsel for Defendant, with the consent of Plaintiff's counsel, moves this Court to adjourn the trial that is currently scheduled in this matter for February 5, 2007, along with other deadline dates to submit certain pretrial documents in connection therewith. In the alternative, undersigned counsel for both parties jointly move this Court to extend the deadline dates to submit pretrial documents.

Under the Court's current scheduling order, the parties are required to submit documents as follows:

- (1) time to file joint pretrial memorandum: December 29, 2006.
- (2) time to serve/file proposed jury instructions, proposed voir dire, motions in limine, witness/exhibit lists, and any designations of deposition testimony: January 16, 2007

(3) time to serve/file opposition to motions in limine, objections to witness/exhibit lists and counter designation of deposition testimony: January 23, 2007.

(4) time to file trial briefs: January 21, 2007.

A final pretrial conference is presently scheduled for January 30, 2007.

**1. Adjournment of Trial Date:**

Counsel for Defendant requests that the Court adjourn the trial date, along with other deadline dates to submit certain pretrial documents in connection therewith, because one of Defendant Lucent Technologies, Inc.'s ("Lucent") two trial attorneys, Robyn Ruderman, will be on maternity leave from January 15, 2007 through April 15, 2007. Ms. Ruderman has been very involved and integral in defending the litigation since its commencement and was scheduled to second seat the trial with Evan Spelfogel, Esq. For this reason, counsel requests that the trial be postponed until some time after May 1, 2007 (excluding May 25-29, 2007 and June 8-11, 2007 when counsel are unavailable due to other preexisting commitments), and that the deadline to submit the pretrial documents be extended for so long as the Court may determine necessary.

**2. Alternative Extension of Time to File Pre-Trial Documents:**

Should Lucent's motion be denied, Counsel for both parties jointly propose that the Court adjourn the deadline dates to submit certain pretrial documents. As a result of the holidays, and unavailability of the parties, counsel have been unable jointly to confer to prepare the pretrial memorandum and other trial documents.

The parties propose the following modifications to the scheduling order:

(1) time to file joint pretrial memorandum: January 8, 2007.

(2) time to serve/file proposed jury instructions, proposed voir dire, motions in limine, witness/exhibit lists, and any designations of deposition testimony: January 19, 2007

(3) time to serve/file opposition to motions in limine, objections to witness/exhibit lists and counter designation of deposition testimony: January 26, 2007.

(4) time to file trial briefs: February 2, 2007.

WHEREFORE, Counsel respectfully request that the Court grant this motion to adjourn for the reasons given herein.

**EPSTEIN, BECKER & GREEN, PC**

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Dated: December 29, 2006